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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,740	01/16/2002	George Krikorian	50064	3485

7590 03/20/2003

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EXAMINER
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AMIRI, NAHID

ART UNIT	PAPER NUMBER
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3635

DATE MAILED: 03/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/042,740	KRIKORIAN ET AL.
Examiner	Art Unit	
Nahid Amiri	3635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 16 January 2002.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-10 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-10 is/are rejected.

7) Claim(s) 4,5 and 7-8 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 16 January 2002 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_. 6) Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claim 5 is objected to because of the following informalities: The word “eleminate” mistyped. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 4 and 7-8 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant did not discloses in specification the term “balcony”.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,407,798 B2 Graves et al., in view of US Patent No. 6,164,018 Runge et al.

In regard to claim 1: Graves discloses the claimed invention except structure having a plurality of individual theaters. Graves discloses FIG. 1, column 2, line 38-40, a theater 10 including two segregated levels A (as marked) and B (as marked) of seating for two classes of patrons and column 3, line 33-36, a third level C (as marked) separate from the segregated seating levels A and B for a motion picture projection camera 38. Runge teaches FIG. 1, column 2, line 44-45, a six theaters multiplex 10 having six theaters 12,14,16, 18, 20, 22 and 14. It would have been obvious to one of ordinary skill in the art at the time of invention was made to provide a structure with a plurality of theater in order to create multiplex theater for showing different type of motion pictures as taught by Runge.

In regard to claim 2: Graves discloses the claimed invention except having a plurality of theater which each different format of motion picture. Graves discloses theater 10 column 2, line 41-44, the theater 10 capable of performing as a regular or large motion picture projection theater. Runge teaches FIG. 1, column 2, line 44-45, the theater multiplex 10 with a plurality of theaters. It would have been obvious to one of ordinary skill in the art at the time of invention was made to provide a plurality of theater under one structure in order to show different type of motion picture in each theater as taught by Runge.

In regard to claim 3: Graves discloses the claimed FIG. 1, each segregated seating level A and B has seating D (as marked) and D' (as marked) for disabled patrons at areas other than only at the very front of the theater 10.

In regard to claim 4: Graves discloses the claimed invention FIG. 1, the theater 10 with segregated seating area of the upper level B having a balcony N (as marked) and segregated seating area of the lower level A having a lower ground level G (as marked).

In regard to claim 5: Graves discloses the claimed invention FIG.1, column 4, line 13-15, a theater 10 having a multiple sound speakers 32a-g placed throughout the theater so as to eliminate sound dead spots in the 18 theater.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Graves et al.

In regard to claim 7: Graves discloses the claimed invention except balcony area having a separate exit and entrance. It would have been obvious to one of ordinary skill in the art at the time of invention was made to provide the upper level area with separate exit and entrance in order to access the balcony area.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6, 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Graves et al.

In regard to claim 6: Graves discloses the claimed invention FIG. 1, column 2, line 38-41, a theater 10 including two segregated seating areas A and B for two distinct classes of patrons and column 3, line 35-36, a third segregated area C for placement of a motion picture projection system 38.

In regard to claim 8: Graves discloses the claimed invention a theater 10 having a projection level C of the theater 10 is located between the upper balcony N seating area and the lower ground level G seating area.

In regard to claim 9: Graves discloses the claimed invention FIG. 1, a theater 10 having separate seating for disabled persons is provided for at areas of the theater other than at the very front of the theater.

In regard to claim 10: Graves discloses the claimed invention FIG. 1, column 4, line 13-15, a theater 10 having a multiple speakers 32a-329 are located in the theater in such a manner that sound dead spots are eliminated.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 5,913,776      Compagnone

US Patent No. 5,469,669      Alter

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nahid Amiri whose telephone number is (703) 305-4241 and Fax number is 703-872-9326. The examiner can normally be reached on Monday-Friday from 8:00-5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Carl Friedman can be reached at (703) 308-0839.

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March 12,2003



Carl D. Friedman  
Supervisory Patent Examiner  
Group 3600

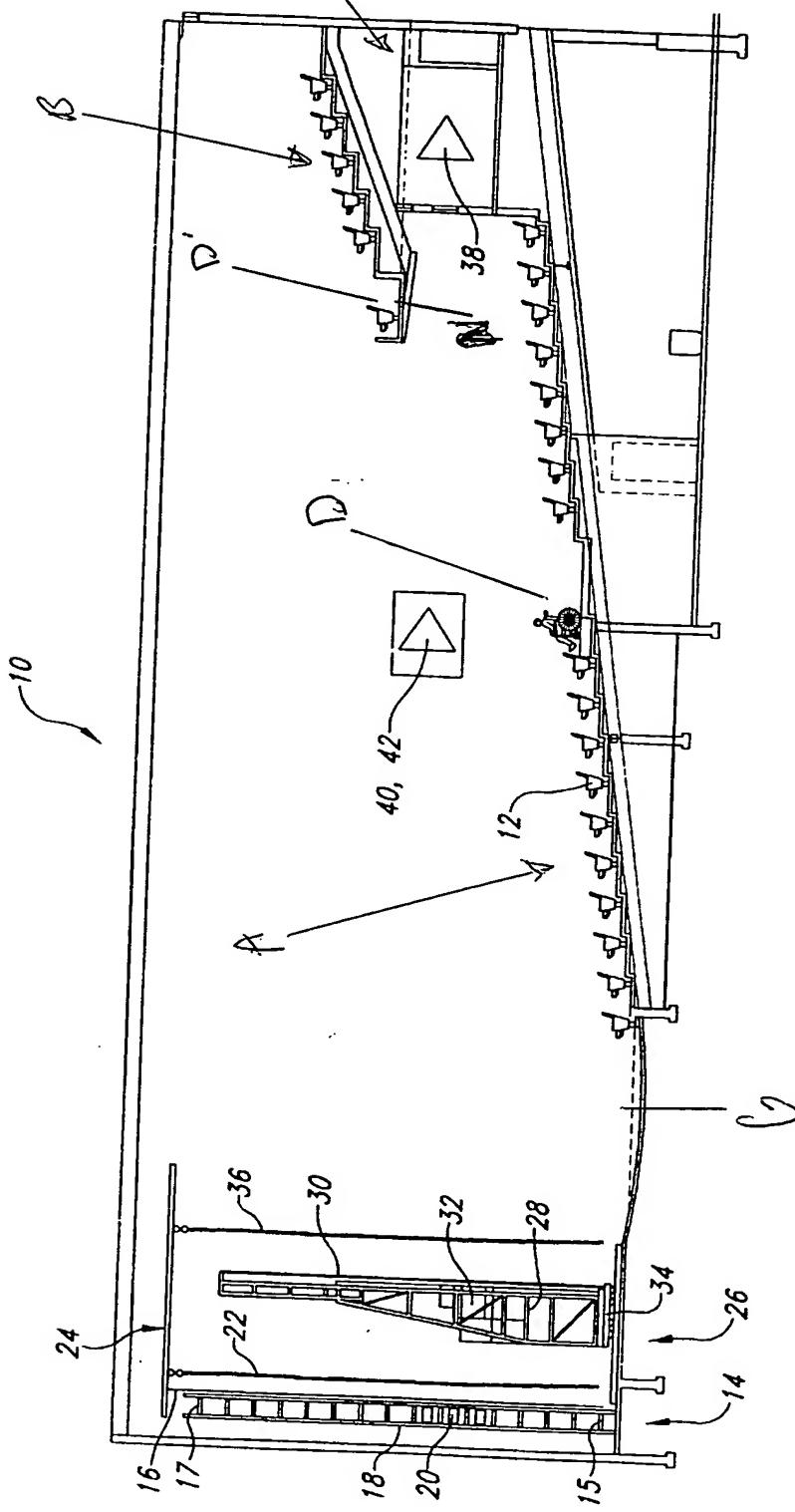


Fig. 1